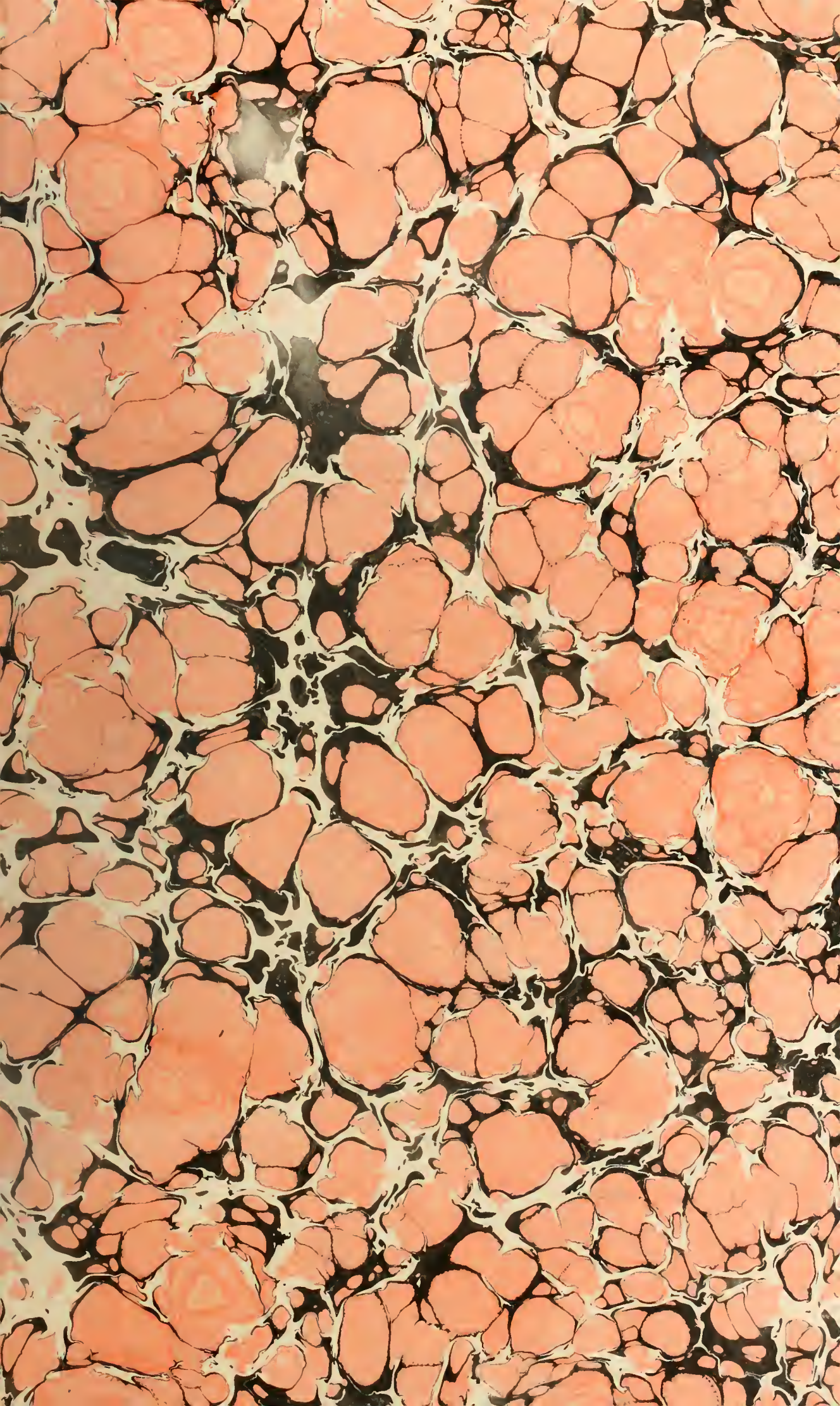

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A

POLITICAL CATECHISM,

OR,

Certain Queſtions concerning the Government of this Land, Anſwered in His Majeſties own words, taken out of His Anſwer to the 19 Propoſitions, *Pag.* 17, 18, 19, 20. of the firſt Edition; with ſome brief Obſervations thereupon.

Publiſhed for the more compleat ſetling of Conſciences, particularly of thoſe that have made the late Proteſtation, to maintain the Power and Priviledges of Parliament, when they ſhall herein ſee the Kings own Interpretation what that Power and Priviledges are.

We can do nothing againſt the Truth, but for the Truth, 2 Cor. 13. 8.

It is this twentieth day of May, Anno Dom. 1643. *Ordered by the Committee of the Houſe of Commons in Parliament concerning Printing, that this Book Entituled,* A Political Catechiſm, *be Printed.*

John White.

LONDON,
Printed for *Samuel Gellibrand* at the *Brazen-Serpent* in *Paul's Church-Yard,* 1643.

A

Political Catechiſm;

Serving to inſtruct thoſe that have made the Proteſtation concerning the power and priviledges of Parliament; taken out of His Majeſties Anſwer to the 19 Propoſitions.

Queſtion.

HOW *many ſimple kinds are there of Civil Government of States, and Common-wealths?*

Anſwer, There are three kinds of Government among men; Abſolute Monarchy, Ariſtocracy, and Democracy, *page*, 17.

Three kinds of Government amongſt men.

Qu. 2. *Are there any of theſe ſimple Forms perfect?*

Anſ. All theſe have their particular Conveniences and Inconveniences, *page* 17.

Obſerv. 1. Experience hath taught men every where to acknowledge this, and accordingly there never was long (if at all) continued any of theſe Forms exactly Simple; though ſome have more ſeemed ſuch then others. Alſo in all mixtures there is commonly ſome one of theſe Forms more conſpicuous then the reſt, from whence ſuch a particular Goverʼnment hath its denomination.

Never any of theſe kinds of Government continued long exactly ſimple.

Queſt. 3. *Is the State of* England *governed by any one of theſe kinds ſimply?*

A. The Experience and Wiſdom of your Anceſtors hath moulded this [Government] out of a mixture of theſe. *p.* 18.

The Government of *England* moulded out of a mixture of Monarchy, Ariſtocracy and Democracy.

Queſt. 4. *What a kind of Government then is that of the State of* England.

Anſ. Regulated Monarchy, *page* 18.

If *England* be governed by a regulated Monarchy, then it is vain and meer flattery to talk of an abſolute Monarchy.

Obſerv. 1. If this Government be a mixture of all theſe, and a Regulated Monarchy; then it is a fond thing with us to talk of an Abſolute Monarchy, and what an Abſolute

Monarch is, or may do. And it is only the language of Flattery that holds such Discourses.

Free Subjects.

2. It needed not to be counted Solecism (as some would perswade us to speak of Free Subjects in a Monarchy, such a Monarchy as ours is.

The House of Commons hath a share in this Government.

3. If this Government be a mixture of all three, then the House of Commons, the Representative Body of the people, must needs be allowed a share in Government (some at least) which yet is denyed, *page 19.*

The Government not to be trusted in the King.

4. If this Government be a mixture, then is not the Government according to these Laws, solely trusted to the King, as seems to be affirmed, *page* 18.

The King not above Law.

5. If the Government be regulated, why do men tell us that the King is above all Law? for it is by Laws that he is Regulated.

The King accountable to Law.

6. If the King be Regulated by the Law, then is the King accountable to the Law, and not to God only, as men would make us believe.

Whatsoever is done by the King beyond the limits of Law is not regal Authority.

7. If the Monarchy or Regal Authority it self be regulated, then whatsoever is done by the King, undeniably without and beyond the limits of that Regulation, is not *Regal Authority.* And therefore,

8. To resist the Notorious Transgressions of that Regulation, is no Resisting of *Regal Authority.* And,

No resistance of the Ordinance of God.

9. It is so far from being a Resisting of the Ordinance of God, that it is not so much as Resisting the Ordinance of man.

Quest. 5. *By whom was this government framed in this sort? or who is to be accounted the Immediate Efficient of the Constitution thereof?*

This Government was moulded by the wisdom of your Ancestors.

A. The Experience and Wisdom of your Ancestors hath so moulded this, *page* 18.

The King hath not his power solely and immediatly by Divine Right, much less by right of Conquest.

Observ. 1. If our Ancestors were the moulders of this Government, then the King hath not his power, solely, or immediately, by Divine Right.

2. Much less hath he his Power or Authority by Right of Conquest.

3. But the Immediate Original of it was from the people. And if so, Then ——

4. In questioned cases, the King is to Produce his Grant

(for

(for he hath no more then what was granted) and not the People to shew a Reservation; For all is presumed to be Reserved, which cannot be proved to be granted away.

The King to produce his grant if his power be questioned.

Quest. 6. *Is this Regulated and mixt Monarchy, as good as an Absolute Monarchy, or better, or worse?*

A. This Excellent Constitution of this Kingdom, (the Ancient, Equal, Happy, Well-poysed, and never enough Commended Constitution of the Government of this Kingdom. *page* 17.) hath made this Nation so many years both Famous and Happy, and to a great Degree of Envy, *pag.* 20.

This excellent constitution of Government hath made this Nation famous and happy.

Quest. 7. *How comes it to pass that this Constitution is so Excellent.*

A. The Experience and Wisdom of your Ancestors hath so moulded this, out of a mixture of these, as to give to this Kingdom (as far as Humane Prudence can provide) the Conveniences of all three, without the Inconvenience of any one, *page* 18.

This kingdom hath the conveniences of all three kinds of Government.

Observ. 1. Then those that would place in the King, an Absolute and Arbitrary Power to do what he List, are Destructive to the Nations Happiness, and Enemies to the Kingdom.

Absolute Arbitrary Power destructive to the Kingdom.

2. If this mixture cause this happiness, then it is not the greatness of the Kings Power over his People but the Restraint of that Power that hath made this Kingdom famous and Happy; for other Kings have Power as large, but not so much restrained; which largeness of their Power hath raised those Kings indeed, (but not their Kingdoms) to a great degree of Envy.

It is not the greatness of the Kings power over his people, but the restraint of that power, that hath made this Kingdom happy.

3. Hence we discern, that it is possible for Kings to envy their Peoples Happiness, because the largeness of the Peoples Happiness depends much upon the Restraint of the Kings Exorbitant Power.

Whereon the largeness of peoples happness depends.

4. If this mixture and well-poised Constitution have raised this Kingdom to so great a Degree of Envy, no marvell if Jesuitical Councells be Active to overthrow this Happy Constitution.

No marvel if Jesuitical Councels be active to overthrow the happiness of this Constitution.

Q. 8. *What is the Conveniency or Good of Monarchy?*

A. The Uniting of a Nation under one Head, to Resist Invasion from abroad, and Insurrection at home, *page* 18.

The good of Monarchy.

Observ. 1.

Pernicious Councellors to a Monarch who Council to bring in straangers, &c.

Obſerv. 1. What Pernicious Councellors are they then to a Monarch that adviſe him to bring in from abroad *German* Horſe, or an *Iriſh* Army, or a Fleet of *Danes* to invade this Kingdom; or to imploy *Dunkirk* Ships to ſeaze upon his Merchants, which is ſo formally contrary to the proper Good and End of Monarchy it ſelf?

That adviſe him to authorize and permit to plunder, rob, ſpoil and impriſon, &c. in his name.

2. Or are they better or worſe that Adviſe him to AuthoriZe, or even permit any in his Name to Plunder, Rob, Spoil, Impriſon any of his Subjects, whom they have found peaceably in their houſes, or at work in the Fields, and have not diſobeyed any Legal Command of his?

Queſt. 9. *What is the Ill of Abſolute Monarchy? or the Inconvenience to which it is Lyable?*

The ill of abſolute Monarchy proneſs to Tyranny.

A. The Ill of Abſolute Monarchy, is Tyranny, *page* 18.

Obſerv. 1. Therefore the more Abſolute a Monarch is, the more prone to be a Tyrant.

Safer for the Subject to reſtrain the King of ſome power then to grant him too much.

2. Therefore alſo it is ſafer to Reſtrain the King of ſome Power to do us good, then to grant him too much opportunity to do us hurt; and the Danger is greater to the People in Enlarging the Kings Power, then in reſtraining it ſomewhat.

Q. 10. *What is the good or Conveniency of Ariſtocracy?*

The good of Ariſtocracy.

A. The good of Ariſtocracy is the Conjunction of Councells in the Ableſt perſons of a State for publick Benefit, *page* 18.

Good for the publick benefit of the State that conjuction of Councells in Parliament ſhould be made uſe of more then once in 13 or 14 years.

Obſerv. Then ſurely it is for the *Publick Benefit* of the State, that this *Conjunction of Councells* in Parliament ſhould be made uſe of more then once in thirteen or fourteen years; and the Law for a Triennial Parliament (if there were not others before for the holding of a Parliament yearly) was a moſt neceſſary Law, as alſo that it ſhould not be diſſolved for fifty dayes.

The intention in the conſtitution of this Government.

2. It was not then Intended in the *Conſtitution of this Government*, that the King in the greateſt matters of Importance for publick benefit, ſhould only hear what they ſay, and then follow it, or reject it, meerly at his own *Pleaſure*; for this may be as well done in an Abſolute Monarchy.

3. Neither is it agreeable to the *Conſtitution* of this Kingdom, to withdraw the King from affording his preſence to his

his Great Councel of State, that ſo the private Counſels of Private men may be preferred before thoſe whom the Law and the *Conſtitution of the Kingdom* counts the Ableſt to judge of publick benefit.

Not agreeable to the Conſtitution of this Government, to withdraw the King from his great Councel and to prefer private Councels.

Q. 11. *What is the Ill of Ariſtocracy, or the Inconvenience to which it is lyable?*

A. The Ill of Ariſtocracy is Faction and Diviſion. *p.* 18

The ill of Ariſtocracy.

Obſ. What ſhall we ſay then to thoſe Private Councellors that have abuſed the King, by perſwading him firſt to withdraw himſelf from his Parliament, and then to call away the Members of both Houſes, when yet without the Conſent of both Houſes this Parliament cannot be Adjourned to another place, much leſs Diſſolved? Yet if all would have come away at call, had it not been Diſſolved for want of Legal Numbers Remaining? And what greater Faction or Diviſion can there be, then ſuch as Divide between King and Parliament, and between the Houſe and their Members? Are not they moſt Pernicious Inſtruments, that make Monarchy it ſelf, (whoſe end is to unite as was ſaid before) thus far guilty of *Faction* and *Diviſion*?

The miſchief of evil Councel in withdrawing the King from his Parliament and to call away the Members of both houſes, to the end to diſſolve the Parliament

Q. 12: *What is the Good*, or *Convenience of Democracy?*

A. The good of Democracy is Liberty, and the courage and Induſtry which Liberty begets, *page* 18.

The good of Democracy.

Obſerv. 1. Then the more Liberties are Encroached upon, the more the people will be rendred Cowardly and Poor, as may be plain enough ſeen by comparing the Valour and Riches of this Nation in Q. *Elizabeths* days, with what hath been of Late Days.

The more Liberties are incroached upon the more cowardly and poor it renders the Nation.

2. The King himſelf, when once his Subjects by having loſt their Liberties, ſhall loſe withall their Courages, will prove the greateſt Looſer; for then his Kingdom will be an eaſie Prey to any Forraign Invader, or even to a home-bred Uſurper, that could gather any ſudden Strength, and would promiſe more Liberty.

In the loſs of liberty the King himſelf ſhall be the greateſt looſer

Q. *What is the Ill of Democracy, or the Inconvenience to which it is lyable?*

A. The Ills of Democracy are Tumults, Violence, and Licentiouſneſs, *page* 18.

The ills of Democracy.

Obſerv. If theſe be the Evils for which the Peoples Liber-

ty

Reſtraint of liberties ſhould be meaſured according to the exigency evils.

ty ought to be Reſtrained by the Mixture in this Government, then the Reſtraint of the Liberty ſhould be meaſured according to the Exigency of theſe Evils, and ſo much Liberty ſhould be meaſured according to the Exigency of theſe Evils, and ſo much Liberty need only be Reſtrained as is ſufficient for the prevention of theſe *Evils.*

Q. 14. *What is the mixture of this Kingdom, which gives it the Conveniences of all the three forementioned kinds of Government without the Inconveniences of any one.*

The Laws of this Kingdom made by King, Peers & Commons, gives it the couveniency of all three kinds of Government.

A. In this Kingdom the Laws are Joyntly made by a King, by a houſe of Peeres, and by a houſe of Commons choſen by the people: All having free Votes, and particular priviledges, *page* 18.

The Priviledges of Parliament, are their certain Priviledges according to Law and the Conſtitution of the Kingdom.

Obſerv. Whereas there hath been great Queſtion made by many what is meant by the Power and Priviledges of Parliament, mentioned in the Proteſtation, which hath been ſo generally made throughout the Kingdom? There is no reaſon to doubt but thoſe things which the King grants afterward, to be the particular Priviledges of each Houſe, and of both, are their certain Priviledges according to Law, and the Conſtitution of the Kingdom; and to the maintaining of them every one that hath made the Proteſtation is moſt ſtrictly bound, without peradventure or ſhift.

The Priviledges that the King challengeth are ſo far to be yielded unto, as they are conſiſtent with the acknowledged priviledges of both Houſes.

2. That the Priviledges which the King challenges to Himſelf, are to be yeilded to, only ſo far forth as they are conſiſtent with the acknowledged Priviledges of the two Houſes; becauſe the Monarchy being acknowledged to be a regulated Monarchy, and the Government mixt of Ariſtocracy and Democracy, as well as Monarchy; it is the Priviledges of the two Houſes of Parliament that makes the mixture, and ſo they muſt Regulate and Interpret the Priviledges of the King, and not the Priviledges of the King Regulate or Interpret theirs, ſave only to the maintaining ſtill the Regal Dignity, and the Succeſſion according to Laws.

Q. 15. *What Priviledges doth the King challenge to himſelf?*

The Government truſted to the King by the Law of the Kingdom, and challenged by the King.

A. The Government according to theſe Laws is truſted to the King: Power of Treaties of War and Peace, of making Peers, of chooſing Officers, and Counſellors for State, Judges for Law, Commanders for Forts and Caſtles;

Caſtles; giving Commiſſions for raiſing men to make War abroad, or to prevent or provide againſt Invaſions and Inſurrections at home, Benefit of Confiſcations, power of pardoning, and ſome other of like kind are placed in the King, *page* 18.

The Priviledges above mentioned are only ſo far truſted, as that they be not prejudicial to the priviledges of Parliament in caſes of neceſſity.

Obſerv. 1. That all theſe are ordinarily in the King, Experience and Cuſtom Teaches, even thoſe that know not the Law by reading; but by what hath been noted before, and follows after, it is to be underſtood only ſo, as not to prejudice the Priviledges of the Houſes of Parliament, eſpecially in caſes of Neceſſity, (of which hereafter.) Alſo——

The Government truſted to be according to the Laws.

2. It is acknowledged here, that the Government, Truſted, is to be according to the Laws, and ſo all theſe Things are not abſolutely in the King; as for inſtance, *Pardons*, the Law denies power of Pardoning wilful Murther; And Benefit of ſome Confiſcations belongs to ſome private Lords of Mannours.

To reſiſt notorious illegal violences is not to reſiſt Kings Authority.

3. If Government only according to Law be truſted to the King then to reſiſt Notorious Illegal Violences is not to reſiſt the Kings Authority.

Q. 16. *For what end is this Authority truſted to the King, and placed in him?*

For the Subjects ſake their Rights are veſted in the King.

A. For our Subjects ſake theſe rights are veſted in us, *page* 17. The Prince may not make uſe of this high and perpetual power to the hurt of thoſe for whoſe good he hath it, *page* 19.

The good of the Subject is to be preferred.

Obſerv. 1. Then the Good of the Subjects is ever to be preferred before the Monarchial Greatneſs of the King (the End is ever more conſiderable then the Means) *Salus Populi* is *ſuprema Lex.*

Whoſoever counſells the King againſt the good of Subject, is an enemy to King and Commonwealth.

2. Whoſoever counſels the King to any Thing againſt the good of his Subjects, is the Kings Enemy as well as the Commonwealths, by attempting to turn him from that which is the end of his Authority.

Q. 17. *To what purpoſe eſpecially are the priviledges of the houſe of Commons and the houſe of Peers?*

The purpoſe and intention of the priviledges of both Houſes.

A. That the Prince may not make uſe of this High and perpetual power to the hurt of thoſe for whoſe good he hath it: and make uſe of the name of publick neceſsity for

the gain of his private Favorites and Followers, &c. *page* 19.

The Law presuppoſes ſuch caſes to fall out and on whom the blame is impoſed.

Obſerv. 1. The Law then ſuppoſes, that ſuch Caſes fall out, though it then Charge the Blame upon thoſe *Favorites* and *Followers*, and not upon the King (as we ſhall ſee by and by.)

No wonder if Favorites be ſuch Enemies to Parliaments & priviledges.

2. We need not wonder then why Private *Favorites* and *Followers* are ſuch Enemies to Parliaments and their Priviledges which are on purpoſe to hinder their gains: Of which alſo more anon.

The truſt to be repoſed in the two houſes by Law.

3. The two Houſes are by the Law it ſeems, to be *Truſted*, when they declare, that Power is made uſe of for the hurt of the People; and the Name of *publick neceſſity* made uſe of for the Gain of *Private Favorites* and *Followers*, and the like.

The ſpecial priviledges of the houſe of Commons

Queſt. 18. *What are the ſpecial priviledges of the Houſe of Commons towards this?*

The Houſe of Commons more careful for the Subjects then the King, &c.

A. The Houſe of Commons, an Excellent conſerver of Liberty —— is ſolely intruſted with the firſt propoſitions concerning the Leavies of Monys which is the Sinnews as well of Peace as of War, &c. *page* 19.

Strange that the houſe of Commons ſhould fight againſt liberty and propriety of the Subject.

Obſerv. 1. It ſeems then the *Houſe of Commons* is preſumed to be more careful for the Subjects Liberties, then either the King, or the Houſe of Peers.

2. Then it muſt needs be ſtrange for any to conceive (as the Kings Declarations would perſwade) that the Houſe of Commons would Fight againſt and Subvert the Liberty and Propriety of the Subject, and the Kings Favorites and Followers Fight for them, and protect them.

No moneys may be levyed either for Peace or War or under pretence of publick neceſſity, without the Commons firſt propound it.

3. Then no Moneys may be Levyed, neither for Peace nor War, no not under Pretence of *Publick Neceſſity*, (as Shipmoney and Monopolies were) without the Houſe of Commons firſt propound and grant it.

If the houſe of Commons be a Conſerver of Liberty, it muſt have power in ſome caſes to leavy Money, &c.

4. If the Houſe of Commons be an *Excellent Conſerver of Liberty*, it muſt needs have ſome Power in ſome Caſes to Levy Money even without the Kings conſent; or elſe it will be utterly unpoſſible to conſerve Liberty at all. Of which likewiſe more anon.

Q. 19. *But if the Kings Private Favorites and Followers have actually perſwaded him to any Thing againſt the Laws and Liberties of the Subject with what further Power and Priviledge is the Houſe of Commons Intruſted toward the Conſerving of Liberty?*

A.

A. With the Impeaching of those, who for their own Ends though countenanced by any surreptitiously-gotten command of the King, have violated that Law, which he is bound (when he knows it) to protect; and to the protection of which they were bound to advise him, at least not to serve him in the contrary, *page* 19.

The House of Commons is intrusted with power to impeach such as have actually perswaded the King to any thing against the Laws and Liberty of the Subject, *&c.*

Observ. 1. Then it is no excuse to any that Violate the Laws, that they *serve the King* in it.

No excuse to any that violate the Laws, to say they serve the King in so doing.

2. The Law counts all Commands from the King, which are any way contrary to the Law, *Surreptitiously-Gotten.*

What account the Law makes of all commands surreptitiously gotten from the King.

3. Then the Parliament speaks according to the Law, when they constantly lay the blame of all violations upon the Kings *Favorites* and *Followers*, and their getting Surreptitiously Commands from him, and not upon the King himself.

The Parliament do legally lay the blame of all violation of Law upon the Kings Favorites that obtain unlawful commands.

4. No Command of the King is to hinder the Commons from Impeaching such as have violated the Law:

No command of the Kings is to hinder the Impeachment of such.

5. The King is bound not to Protect any of his Followers and Favorites against the Commons Impeachment of them; because he knows and affirms, that he is bound to Protect the Laws, and that this is the Law, that the Commons are to Impeach such.

The King is bound not to protect any of his Followers or Favorites against Impeachments.

Quest. 20. *What is the special Priviledge of the House of Peers in the former Case of such Favorites and Followers of the Kings as are Impeached by the Commons? and so to decide all Matters in Questions between the King and the People.*

A. The Lords being trusted with a Judicatory power are an Excellent Screen and Bank between the Prince and the people, to assist each against any Encroachments of the other, and by just Judgments to preserve that Law which ought to be the Rule of every one of the three, *page* 19.

Judicature power is the special priviledge of the Lords house, which is an excellent Screen and Bank between the King and People.

Quest. 21. *But have the two Houses Power to put their judg-*

The houſes have power to put their Judgments in execution.

ments into Execution, as well as to Impeach and Judge?

A. The power of puniſhment is already in your hands according to Law, *page* 20.

No wonder that the Kings Favorites hate Parliaments.

Obſerv. 1. Then again it is no wonder that the Kings *Favorites* and *Followers* hate Parliaments, (who not only hinder their Gain, but have Power to puniſh them) when they have violated the Laws.

The two Houſes are ſupream Judges of all matters in difference between King and people.

2. Then the Lords (and much more the two Houſes togeather) are ſupreme Judges of all matters in difference between the King and the People, and have power to prevent all the Kings Encroachments upou the people, as well as the Peoples upon him.

The King is bound not to protect Delinquents.

3. Then the King is bound not to Protect any whom the Lords upon the Impeachment of the Commons, have Judged Delinquents; For he hath granted that he is bound to Protect the Law, and that according to Law the Power of puniſhing (even of his Favorites and Followers, before ſpoken of) is in their hands, and they cannot puniſh them, ſo long as he Protects them.

The Law allows the upper houſe to be the ſupream Judicatory, & to be a Skreen between the King and People, &c.

4. Then the Law allows them as the Supreme Judicatory (even that which muſt be a Skreen between the King and the People, and Aſſiſt the People againſt the Kings Encroachments and puniſh the Kings *Favorites* and *Followers*, though countenanced by Surreptitiouſly-Gotten Commands from the King) a Power to bring ſuch as they have Judged; (or are to Judge) to Condign Puniſhment, which is granted to all Inferiour Judges in their Circuits and Juriſdictions.

The Power of both Houſes is by Law to raiſe Arms if need be, for the apprehending of Delinquents.

5. Then if thoſe Delinquents get the King to Protect them, or ſurreptitiouſly get Commands of him, to raiſe Arms to Shelter themſelves againſt the Judgment of the two Houſes; the two Houſes have Power by the Law to raiſe not only the *Poſſe Comitatus* of thoſe Counties where ſuch Delinquents are, to apprehend them, but alſo the *Poſſe Regni*, the Power of the whole Kingdom if need be; or elſe the Power of Puniſhment is not in their hands according to Law, and it would be ſafer contemning and ſcorning and oppoſing the higheſt Judicatory, the Parliament, then any Inferiour Court, a Judge of Aſſize, or the like: and they that could get Commands to Violate the Law before, would eaſi-

ly

ly get Protection againſt the Parliament when they are Queſtioned, if the Parliament had no Power to raiſe Arms to ſuppreſs them.

Queſt. 22. *But if there be an Attempt or Danger, that the Kings Favorites and Followers go about to change this Regulated Monarchy into an Arbitrary Government, and ſo into a Tyranny; is there Authority in the Houſes ſufficient, according to what was fore-mentioned to remedy this?*

A. Power Legally Placed in both Houſes is more then ſufficient to prevent and reſtrain the power of Tyranny. *page* 20.

A power legally placed in both houſes is more then ſufficient to prevent Tyranny.

Obſerv. 1. Then at leaſt what ever Power is neceſſary to prevent or reſtrain the Power of Tyranny is confeſſed to be Legally placed in both Houſes; for elſe there is not Power ſufficient, much leſs, more then ſufficient.

2. Then it is lawful for the two Houſes to Raiſe Arms to defend themſelves in caſe an Army be raiſed againſt them. for elſe they have not power ſufficient to reſtrain the power of Tyranny: There is no greater attempt of Tyranny then to raiſe Arms againſt the Houſes of Parliament, and there is no way to reſtrain this Tyranny, but by raiſing Arms in their own Defence: Leſs then this cannot be ſufficient.

Lawful for both houſes to raiſe an Army to defend themſelves againſt any power raiſed againſt them.

3. If a Legal Power be placed in them, not only to reſtrain but *prevent the Power of Tyranny*, then they are the Legal Judges, when there is danger of Tyranny; and they have Legal Power to Command their judgment to be obeyed, for Preventions as well as Reſtrint of *Tyranny*.

The Parliament are legal Judges in danger of Tyranny, and have power to command their judgment to be obeyed, &c.

4. Then it is lawful for them to provide for their own and the Kingdoms ſafety, and they have Legal Power to command the People to this purpoſe; not only when Arms are actually raiſed againſt them, but when they Diſcern, and accordingly declare a Preparation made towards it. for if they let alone altogether the *Exerciſe* of their power, til Arms are *Actually* raiſed againſt them; they may in all likelihood find it too *late*, not only to *Prevent*, but even to *Reſtrain the Power of Tyranny*.

Lawful for the Parliament to provide for their own and the Kingdoms ſafety, and to command the people to this purpoſe, both when arms are actually raiſed and when they diſcern a Preparation there unto.

5. Then they have Legal Power in ſuch Times of danger, to put into ſafe hands, ſuch Forts, Ports, Magazines, Ships, and Power of the *Militia*, as are intended, or likely to be intended,

Legal power in times of danger to put into ſafe hands, Forts, Ports, Magazines, Ships, &c.

tended, to Introdnce a Tyranny; for elſe they cannot have Power ſufficient to *Prevent* or *Reſtrain the Power of Tyranny.*

Legal power to leavy moneys, Arms, Horſe, Ammunition of the Subject in ſuch caſes of danger, without or againſt the conſent of the King, &c.

6. Then they have Legal Power to Levy Moneys, Arms, Horſe, Ammunitions upon the Subjects, in ſuch caſes of *Danger*, even without or againſt the Kings Conſent; for it cannot be imagined that in ſuch caſes when the Kings Favourites and Followers have gotten Commands from him, to protect them in their Delinquencies and Attempts to Introduce Tyranny, that ever he will conſent to Levies of Moneys againſt thoſe Favorites and Followers of his, or to the raiſing Arms againſt them, eſpecially he being ſtill in their hands, and among them, and not with his Parliament; and without ſuch Levies of Moneys, *&c.* it is not poſſible for the two Houſes of Parliament to prevent or reſtrain ſufficiently the Power of Tyranny.

In all theſe things acknowledged by the King, & clearly following from his acknowledgments, all men may ſee the power and priviledges of Parliment.

7. They that have made the *Proteſtation*, to maintain and defend the *Power and Priviledges of Parliament*, may ſee in all theſe Things (acknowledged by the King, and clearly following from his acknowledgeenents) what is that *Power*, and what are *Priviledges of Parliament*, which they have ſo ſolemly in the preſence of Almighty God Vowed, Promiſed and Proteſted to maintain, *&c.*

That ſince the two houſes have ſo often declared their intentions in ſettling the Militia, ſecuring of *Hull*, &c.

8. And finally, ſince the two Houſes of Parliament have ſo often and fully declared their *Intentions* in ſettling the *Militia*, ſecuring *Hull* and the Magazine there, and the Navy at Sea, with Ports and Forts, and afterward in Raiſing Arms under the Commanp of the *Earl of Eſſex*, and laſt of all, Levying Moneys by voluntary Contributions and Aſſeſſments; they have only uſed that *Legal Power* which is in them for the Puniſhment of *Delinquents*, and for the *Prevention* and *Reſtraint* of the power of Tyranny, of all which they are the Legal Judges; and all the Subjects of this Kingdom are bound by the Laws to obey them herein, and thoſe doubly bound that have made the late *Proteſtation.*

All men may ſee that they have only uſed that legal power which is in them for puniſhing delinquents, prevention and reſtraining of Tyranny, *&c.*

That

That the Reader may the better discern how the Answers here applyed do agree with the words of his Majesties answer the to 19 Propositions, I have here transcribed so much of it as concerns this particular.

Conceening the Government of the Kingdom.

Page 17 We call God to witness, that as for our subjects sake these Rights are vested in Us, (so for their sakes as well as for our own) we are resolved not to quit them nor to subvert (though in a parliamentary way) the ancient, equal, happy well-poysed, and never-enough-commended Constitution of the Government of this Kingdom.

Three kinds of Government amongst men.

There being three kinds of Government amongst men, Absolute Monarchy, Aristocracy, and Democracy, and all these having their particular conveniences and inconveniences.

The providence of our Ancestors hath so moulded the Government of this Kingdom, as by a mixture of all three kinds to give the conveeiences of them all, &c.

page 18. The experience and wisdom of your Ancestors hath so moulded this out of a mixture of these, as to give to this Kingdom (as far as humane prudence can provide) the conveniences of all three, without the inconveniences of any one, as long as the Ballance hangs even between the three Estates, and they run joyntly on in their proper channel (begetting Verdure and Fertility in the meadows on both sides) and the over-flowing of either on either side, raise no Deluge or Inundation. The ill of Absolute Monarchy is Tyranny, The ill of Aristocracy is Faction and Division, The Ills of Democracy are Tumult, Violence, and Licentiousness: The good of Monarchy is the Uniting a Nation under one Head, to Resist Invasion from abroad, and Insurrection at home: The good of Aristocracy is the conjunction of Counsel in the Ablest persons of a State for the publick benefit: The good of Democracy is Liberty, and the courage and industry which Liberty begets.

How the Laws of this Kingdom are made.

In this Kingdom the Laws are Joyntly made by a King, by a house of Peers, and by a house of Commons chosen by the people, all having free Votes, and particular privileges.

Trust reposed in the King.

The Government according to these Laws is trusted to the King: Power of Treaties of War and Peace, of making Peers, of choosing Officers, and Councellors for State Judges

for

for Law, Commanders for Forts and Castles; giving Commissions for raising men to make War abroad, or to prevent and provide against Invasions or Insurrections at home; benefit of Confiscations, power of pardoning, & some more of the like kind are placed in the King. —— Again *page 19.* that the Prince may not make use of this high and perpetual power to the hurt of those for whose good he hath it, and make use of the name of publick necessity for the gain of his private Favorites & Followers to the detriment of his people; the house of Commons an excellent conserver of Liberty, (but never intended for any share in Government, or the chusing of them that should govern) is solely intrusted with the first Propositions concerning the Levies of Moneys (which is the sinews as well of peace as war,) and the impeaching of those who for their own ends, though countenanced by any surreptitiously-gotten command of the King, have violated that Law, which he is bound (when he knows it) to protect, and to the protection of which they were bound to advise him, at least not to serve him to the contrary: and the Lords being trusted with a Judicatory power, are an excellent screen & bank between the Prince & people, to assist each against any incroachments of the other, & by just judgments to preserve that Law which ought to be the Rule of every one of the three. ——

Concerning the extent of the Princes liberty.

The Trust reposed in the house of Commons.

The Trust of the Lords

Page 20. Since therefore the Power Legally placed in both Houses is more then sufficient to prevent and restrain the power of Tyranny:—since this would be a total Subversion of the Fundamental Laws, and that excellent constitution of this Kingdom, which hath made this Nation so many years both Famous and Happy to a great degree of envy, since to the power of punishing (which is already your hands according to Law) if —— since the encroaching of one of these Estates upon the power of the other is unhappy in the effects both to them and all the rest. —— *Page 22.* Our answer is, Nolumus Leges Angliæ mutari. But this we promise, that we will be as careful of preserving the Laws in what is supposed to concern wholly our Subjects, as in what most concerns our self: For indeed we profess to believe that the preservation of every Law concerns Us, those of obedience being not secure, when those of protection are violated.

The sufficiency of the power placed in both houses

Incroachment of Power.

Careful to preserve Laws

FINIS.